



UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David John Zanzig, et al. ) Confirmation No.: 4025  
For: TIRE WITH COMPONENT OF ) Docket No.: DN2002132  
RUBBER COMPOSITION COMPRISED ) Art Unit: 1714  
OF SILANOL AND/OR SILOXY ) Examiner: Kriellion Antionette Sanders  
FUNCTIONALIZED ELASTOMER AND )  
SILICA )  
Serial No.: 10/429,382 )  
Filed: May 5, 2003 )

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBLIGATE A  
DOUBLE PATENTING REJECTION**

Dear Sir:

Petitioner, The Goodyear Tire & Rubber Company, having its principal place of business in Akron, Ohio, through its duly authorized agent, represents that it is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. Sections 154 to 156 and 173, as presently shortened by any terminal disclaimer, of its commonly owned Patent No. 6,998,448, issued February 14, 2006, of which Petitioner is the owner of 100 percent interest therein as evidenced by an Assignment recorded in the U.S. Patent Office on October 13, 2005, at Reel 016880, Frame 0514. The Petitioner hereby agrees that any patents so granted on the above identified application shall be enforceable only for and during such periods that legal title to said patent shall be the same as the legal title to commonly owned U.S. Patent No. 6,998,448.

This Agreement shall run with any patent granted on the above identified application and is to be binding upon the grantee, its successors and assigns.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THE GOODYEAR TIRE & RUBBER COMPANY

Date: April 26, 2006

By:   
Name: Bruce J. Hendricks  
Title: Associate General Counsel Intellectual Property Law